

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MICHAEL MAYFIELD, on behalf of)
himself and others similarly situated,)

Plaintiff,)

v.)

ACE AMERICAN INSURANCE)
COMPANY,)

Defendant.)

Civil Action No. 1:19-cv-02425-SDG

**[PROPOSED] ORDER GRANTING FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND CLASS COUNSEL'S FEE PETITION**

This matter comes before the Court on Plaintiff's Unopposed Motion for Final Approval of Class Action Settlement and Class Counsel's Fee Petition. The Court has reviewed the papers filed in connection with the Motion as well as the records previously submitted by the parties in connection with the proposed Settlement and has held a Final Settlement Approval Hearing on February 8, 2022. The Court hereby GRANTS the Motion for Final Approval of a Class Action Settlement and ORDERS as follows:

1. The Court's prior Order Granting Preliminary Approval of Class-Wide Settlement ("September 15 Order") is incorporated herein by reference.

2. The Court has jurisdiction over the subject matter of this action and the parties, including members of the Settlement Class who have not opted out of the matter.

3. The Court approves the Settlement, finding that it is fair, reasonable, and adequate to members of the Settlement Class for the reasons set forth in Plaintiff's unopposed motions for preliminary and final approval.

4. The Court finds that the Notices mailed to 38 potential class members at their last known addresses provides the best notice practicable under the circumstances and that the Notice was mailed in accordance with the Court's September 15 Order and the parties' Settlement Agreement.

5. No objections to the terms of the Settlement have been communicated to Class Counsel or filed with the Court.

6. No individuals have opted out of the Settlement Class.

7. The Court finds that Michael Mayfield adequately represented the Settlement Class for purposes of entering into and implementing the Settlement.

8. The Court finds that Class Counsel's request for an award of attorneys' fees and costs is fair and reasonable, and hereby approves the request for an attorneys' fee award of \$285,353.00 plus costs of \$17,590.98 incurred by Plaintiff's counsel.

9. The parties are hereby directed to proceed with the settlement payment procedures specified under the terms of the Settlement Agreement.

10. Plaintiff Michael Mayfield, and members of the Settlement Class, are enjoined from maintaining, prosecuting, commencing, or pursuing any claim released under Paragraph 71(l) of the Settlement Agreement, respectively, and are deemed to have released and discharged the Defendants and Released Parties from any such claims.

11. The Court reserves jurisdiction over the parties as to all matters relating to the administration, enforcement, and interpretation of the Settlement Agreement, and for any other necessary purposes.

12. The parties are authorized, without further approval from the Court, to mutually agree to and adopt any technical or process amendments or modifications to the Settlement Agreement provided such changes are: (i) consistent with this Order, (ii) consistent with the intent of the Settlement Agreement, and (iii) do not limit any substantive rights of the Settlement Class.

13. In the event the Settlement does not become effective, this Order shall be rendered null and void and shall be vacated and, in such event, all orders entered in connection therewith shall be vacated and rendered null and void.

14. The Court DISMISSES this action and any and all settled claims with

prejudice as to Plaintiff Michael Mayfield and all members of the Settlement Class, and without costs or attorneys' fees to any party except as provided under the terms of the Settlement Agreement and this Order.

15. This case is hereby DISMISSED with prejudice.

SO ORDERED this ____ day of _____, 2022.

Honorable Steven D. Grimberg